

106TH CONGRESS
2D SESSION

H. R. 5641

To establish a commission to review the Federal Aviation Administration.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2000

Mr. WOLF introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a commission to review the Federal Aviation Administration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Commission for Com-
5 prehensive Review of the Federal Aviation Administration
6 Act”.

7 **SEC. 2. COMMISSION.**

8 (a) ESTABLISHMENT.—There is to be established a
9 commission to be known as the Commission for Com-
10 prehensive Review of the Federal Aviation Administration
11 (referred to in this section as the “Commission”).

1 (b) FUNCTIONS.—The functions of the Commission
2 shall be—

3 (1) to review existing and alternative options
4 for organizational structure of air traffic services, in-
5 cluding a government corporation and incentive
6 based fees for services;

7 (2) to provide recommendations for any nec-
8 essary changes in structure of the Federal Aviation
9 Administration so that it will be able to support the
10 future growth in the national aviation and airport
11 system; except that the Commission may only rec-
12 ommend changes to the structure and organization
13 of the Federal Aviation Administration that are
14 within the existing structure of the Federal Govern-
15 ment;

16 (3) to review air traffic management system
17 performance and to identify appropriate levels of
18 cost accountability for air traffic management serv-
19 ices;

20 (4) to review aviation safety and make rec-
21 ommendations for the long-term improvement of
22 safety; and

23 (5) to make additional recommendations that
24 would advance more efficient and effective Federal
25 Aviation Administration for the benefit of the gen-

1 eral traveling public and the aviation transportation
2 industry.

3 (c) MEMBERSHIP.—

4 (1) APPOINTMENTS.—The Commission shall be
5 composed of 21 members appointed by the President
6 as follows:

7 (A) 8 individuals with no personal or busi-
8 ness financial interest in the airline or aero-
9 space industry to represent the traveling public.
10 Of these, 1 shall be a nationally recognized ex-
11 pert in finance, 1 in corporate management and
12 1 in human resources management.

13 (B) 4 individuals from the airline industry.
14 Of these, 1 shall be from a major national air
15 carrier, and 1 from an unaffiliated regional air
16 carrier, 1 from a cargo air carrier.

17 (C) 3 individuals representing labor and
18 professional associations. Of these, 1 shall be
19 from National Air Traffic Controllers Associa-
20 tion, 1 from the Air Line Pilots Association,
21 and 1 from the Professional Airways Systems
22 Specialists.

23 (D) 2 individuals representing airports and
24 airport authorities. Of these, 1 shall be rep-
25 resent a large hub airport.

1 (E) 1 individual representing the aerospace
2 and aircraft manufacturers industries.

3 (F) 1 individual from the Department of
4 Defense.

5 (G) 2 individuals from the Department of
6 Transportation. Of these, 1 shall be from the
7 Federal Aviation Administration and 1 from the
8 Office of the Secretary of Transportation.

9 (2) TERMS.—Each member shall be appointed
10 for a term of 18 months.

11 (d) FIRST MEETING.—The Commission may conduct
12 its first meeting as soon as a majority of the members
13 of the Commission are appointed.

14 (e) HEARINGS AND CONSULTATION.—

15 (1) HEARINGS.—The Commission shall take
16 such testimony and solicit and receive such com-
17 ments from the public and other interested parties
18 as it considers appropriate, shall conduct at least 2
19 public hearings after affording adequate notice to
20 the public thereof, and may conduct such additional
21 hearings as may be necessary.

22 (2) CONSULTATION.—The Commission shall
23 consult on a regular and frequent basis with the
24 Secretary of Transportation, the Secretary of De-
25 fense, the Committee on Commerce, Science, and

1 Transportation, the Committee on Appropriations
2 and the Committee on Finance of the Senate, and
3 the Committee on Transportation and Infrastruc-
4 ture, the Committee on Appropriations and the
5 Committee on Ways and Means of the House of
6 Representatives.

7 (3) FACA NOT TO APPLY.—The Commission
8 shall not be considered an advisory committee for
9 purposes of the Federal Advisory Committee Act (5
10 U.S.C. App.).

11 (f) ACCESS TO DOCUMENTS AND STAFF.—The Fed-
12 eral Aviation Administration may give the Commission ap-
13 propriate access to relevant documents and personnel and
14 shall make available, consistent with the authority to with-
15 hold commercial and other proprietary information under
16 section 552 of title 5, United States Code (commonly
17 known as the “Freedom of Information Act”), cost data
18 associated with the acquisition and operation of air traffic
19 service systems. Any member of the Commission who re-
20 ceives commercial or other proprietary data from the Fed-
21 eral Aviation Administration shall be subject to the provi-
22 sions of section 1905 of title 18, United States Code, per-
23 taining to unauthorized disclosure of such information.

24 (g) TRAVEL AND PER DIEM.—Each member of the
25 Commission shall be paid actual travel expenses, and per

1 diem in lieu of subsistence expenses when away from such
2 member's usual place of residence, in accordance with sec-
3 tion 5703 of title 5, United States Code.

4 (h) **DETAIL OF PERSONNEL FROM THE FEDERAL**
5 **AVIATION ADMINISTRATION.**—The Administrator of the
6 Federal Aviation Administration shall make available to
7 the Commission such staff, administrative services, and
8 other personnel assistance as may reasonably be required
9 to enable the Commission to carry out its responsibilities
10 under this section.

11 **SEC. 3. REPORT OF THE COMMISSION.**

12 (a) **REPORT TO CONGRESS.**—Not later than 30 days
13 after receiving the final report of the Commission and in
14 no event more than 1 year after the date of the enactment
15 of this Act, the Secretary of Transportation, after con-
16 sulting the Secretary of Defense, shall transmit a report
17 to the Committees on Commerce, Science, and Transpor-
18 tation, Appropriations, and Finance of the Senate and the
19 Committees on Transportation and Infrastructure, Appro-
20 priations, and Ways and Means of the House of Rep-
21 resentatives.

22 (b) **CONTENTS.**—The Secretary shall include in the
23 report to Congress under subsection (a) a final report of
24 findings and recommendations of the Commission under
25 section 2(b), including any necessary changes to current

1 law to carry out these recommendations in the form of
2 proposed legislation.

3 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated such sums as
5 may be necessary to carry out this Act.

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